

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

PETER MICHAUD and
PAULA MICHAUD,

Plaintiffs,

v.

FORD MOTOR CREDIT COMPANY,

Defendant.

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Civil No. 7-183-B-W

RECOMMENDED DECISION

On December 10, 2007, I issued a Procedural Order for plaintiffs to file an amended complaint and amended applications to proceed in forma pauperis in order to correct the deficiencies in the original complaint and applications as filed on December 7, 2007. The deadline for plaintiffs to file these amendments was December 31, 2007. As of today's date, no filings have been made by plaintiffs.

I therefore recommend that this matter be dismissed in its entirety for plaintiffs' failure to comply with the Procedural Order of December 10, 2007. Furthermore, the complaint as currently drafted does not indicate that the amount in controversy meets the jurisdictional threshold. Plaintiffs did file a "civil cover sheet" (Doc. No. 2) and checked both diversity and federal question as the basis of this court's jurisdiction. If plaintiffs are claiming a violation of federal law, which would give this court federal question jurisdiction, they have not identified the statutory basis and in fact, have indicated on the same document that this case is a "contract" action, a matter of state law.

NOTICE

A party may file objections to those specified portions of a magistrate judge's report or proposed findings or recommended decisions entered pursuant to 28 U.S.C. 636(b)(1)(B) for which *de novo* review by the district court is sought, together with a supporting memorandum, within ten (10) days of being served with a copy thereof. A responsive memorandum shall be filed within ten (10) days after the filing of the objection.

Failure to file a timely objection shall constitute a waiver of the right to *de novo* review by the district court and to appeal the district court's order.

January 4, 2008

/s/ Margaret J. Kravchuk
U.S. Magistrate Judge